

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI**

IN RE: RICHARD WILLIAM DEVAULT, Debtor **Case No. 23-50244-KMS**
CHAPTER 13

MOTION TO DISBURSE FUNDS

COMES NOW, Debtor, by and through counsel, and moves this Court to direct the disbursement of funds, and in support thereof, would show the Court as follows:

1. Debtor commenced this case on May 26, 2022 by filing a voluntary petition for relief under Chapter 13 of Title 11 of the United States Bankruptcy Code.
2. That Creditor, Memorial Hospital, garnished debtor's income in the 90 days prior to the filing of this case. That it is believed that Trewolla Sweatman PLLC represents Memorial Hospital.
3. That upon request, \$5,834.15 of the garnishment was returned by the debtor's employer by adding the income to his post-petition pay stub. The \$5,834.15 is currently in the possession of the Debtor.
4. That pursuant to the Fee Agreement entered between debtors and the Rollins Law Firm ("Law Firm"), Law Firm shall keep 30% of the recovered garnishment funds – totaling \$1,750.24.
5. That Debtor wishes to keep the remaining \$4,083.91.
6. That the Trustee has not and does not plan to claim an interest in the proceeds.
7. That Debtor wishes for an order directing that Debtor may to disburse the funds as follows:
 - a. \$1,750.24 to The Rollins Law Firm
 - b. \$4,083.91 to be retained by the Debtor.

WHEREFORE, Debtor prays that an order directing the disbursement of funds be entered and for such additional or alternative relief as may be just and proper.

Respectfully submitted

/s/ Thomas C. Rollins, Jr.
Thomas C. Rollins, Jr. (MS Bar No. 103469)

Of Counsel:

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CERTIFICATE OF SERVICE

I, Thomas C. Rollins, Jr., do hereby certify that a true and correct copy of the above Motion was forwarded on May 5, 2023, to the creditors, case trustee and U.S. Trustee as indicated in the “21 day notice” that accompanies this Motion.

/s/ Thomas C. Rollins, Jr.
Thomas C. Rollins, Jr.